

The FTC would work with the attorneys general of various affected States to take appropriate action.

I am aware that inquiries as these have been conducted in the past, particularly around this time of year. Price surges around the time of the Labor Day holiday are common. As the prices fall, interest in determining why they reached record level diminishes. I hope this can be different. Even if prices begin to fall, which it appears they may, we still need to know what happened and why it happened.

Oil, as we all know, is the most widely used source of energy in the world. Facts indicate that world production of oil will start to decline. However, demand will not. At what point the production of oil will fall below demand cannot be accurately determined, but I believe that recent events that have disrupted normal supply and demand behavior is an illustration of what consumers can expect once that day arrives.

This is why, after years of delay, it was so important that we were able to pass an energy bill, allowing for the development of more energy sources. I am hopeful that these energy sources, particularly renewable fuels made from farm commodities, will be developed quickly enough to prevent price surges at times the oil supply or refinery capacity is disrupted.

According to the American Petroleum Institute, Nebraska has the distinct honor of being the only State west of Arkansas to see prices jump more than 50 cents per gallon since August 30. Why Nebraska? Let's find out.

In many cases, we saw pump price increases of 20, 30, 40 cents and even higher in a single day. Why such a dramatic increase? Let's find out.

We know there exists a very healthy competition between gasoline retailers, yet the price range for the same grade of gasoline yesterday was \$3.19 in Lincoln, Nebraska and \$2.99 in nearby Fremont. Why the difference? Let's find out.

What role do speculators play in establishing price? Let's find out.

These questions, and others, are important. Every part of our Nation's economy is impacted by these increases.

For example, the extraordinary prices of gasoline, diesel fuel, natural gas and petroleum derived input products such as fertilizer, chemicals and propane add another economic burden, particularly in rural areas and for farmers and ranchers who count on a ready and accessible energy supply for the production and harvest of their crops and livestock.

We need stable and reasonable gasoline, diesel, and natural gas prices to operate farm machinery, dry grain, and transport commodities to market, especially during the coming harvest season. The extreme volatility of world crude oil and petroleum product prices, according to USDA, has already impacted net farm income by over \$2 billion.

When we take a hard look at the facts, we will better understand the forces affecting prices at the pump. We'll understand why in Nebraska we pay prices that range from \$2.89 to \$3.61 and higher. We'll understand reports of \$6.00 gasoline in Atlanta and even higher prices at home and abroad. This legislation is nothing but beneficial for American gasoline consumers.

Now, I ask my colleagues to join me in promoting legislation that will provide valuable information on our Nation and the world's transportation fuels.

NATIONAL ASSISTED LIVING WEEK

Mr. WYDEN. Mr. President, today I want to draw attention to the 11th annual National Assisted Living Week, which begins on September 11 and continues through September 17. Created in 1995 by the National Center for Assisted Living, and being celebrated for the second time in conjunction with the American Association of Homes and Services for the Aging and Assisted Living Federation of America, National Assisted Living Week emphasizes the importance of assisted living services to the more than 1 million seniors and persons with disabilities who rely on them every day.

The theme for this week is "A Fair to Remember." The theme encourages assisted living facilities to create their own "Fair" environment for the residents, families, staff, volunteers and local community and to celebrate their time together and share the fun with family and friends.

Assisted living continues to grow in importance as our society's demographics change and as we live longer. Seniors and their families want a homelike setting and are seeking alternatives to nursing homes. Because assisted living has been able to develop to meet community needs, it can be very different in different States. However, the goal is the same: to provide quality care for those who need some help in caring for themselves but are not in need of the care provided by a nursing home.

My home State of Oregon pioneered the concept of assisted living, and I am proud of my State's ability to continue to evolve the concept so that it meets the changing needs of seniors. All of us want to be in a safe environment and as independent as possible for as long as possible. Assisted living provides care while maintaining the dignity of the individuals they serve. Our Nation must continue to support those long-term care options that allow consumers the care setting that is appropriate for their needs.

IN HONOR OF LIEUTENANT COMMANDER LUKE CLYBURN

Mr. LEVIN. Mr. President, it is with great pride that I pay tribute to an exceptional educator and steward of the

Great Lakes, LCDR Luke Clyburn. Commander Clyburn is captain of the ship "Pride of Michigan" and president of the Noble Odyssey Foundation. He is an innovative, committed leader who has worked for more than 32 years to educate young people about the importance of the Great Lakes and other fresh water lakes through the Naval Sea Cadets training program. We are grateful for his long and distinguished service.

The U.S. Naval Sea Cadet Corps was incorporated by an act of Congress in 1962, and a Great Lakes Division was added in 1973. The mission of the Corps is to "encourage and aid American youth to develop, train them in sea-going skills, and to teach them patriotism, courage, self-reliance and kindred virtues." For more than 32 years, Commander Clyburn has accepted that charge.

Under Commander Clyburn's able leadership, the Sea Cadet program acquired a retired naval vessel, the "Noble Odyssey," in 1977. On it, Sea Cadets from Michigan learned to man a ship from bow to stern, and they took part in invigorating scientific missions. With the cadets as crew, Commander Clyburn put together a series of Great Lakes research projects with professional scientists.

In 1989, it was my honor to help Commander Clyburn replace the "Noble Odyssey" with a larger ship, another retired naval vessel, the "Pride of Michigan." On the "Pride of Michigan," Luke has continued the same great work with the same great results. The scientific work has included significant research on invasive zebra mussels, which are harming the Great Lakes, and an investigation of an ancient drowned forest 2 miles off of Lexington, MI. These projects have been filmed and produced into documentaries, including the educational videos "Fresh Water Invaders," "Angels of the Sea," "Emperor," "The Underwater Forest," and "The Norwood Project."

In 2002, the Noble Odyssey Foundation was established as a nonprofit organization to raise money for the Sea Cadet Corps. With Luke as its president, the foundation has ensured the future of the Naval Sea Cadet Program, Great Lakes Division.

Commander Clyburn has dedicated himself to teaching young people about the importance of fresh water and how to protect these resources for future generations. He has been an inspiration and a gift to so many youth, and, along the way, he has made great contributions to scientific discovery. I know that my colleagues join me in thanking and praising Commander Clyburn for his distinguished service to our country.

ADDITIONAL STATEMENTS

HONORING JON KRAHULIK

• Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the

life of a great man, Jon Krahulik, who died this week after a courageous struggle with cancer. He was a good friend, devoted family man, and faithful public servant. I will miss him dearly, and I know that sentiment is shared by countless others across Indiana.

I had the honor of appointing Jon to the Indiana Supreme Court more than 15 years ago. While on the court, he served Indiana with distinction, garnering the admiration of all those whom he encountered. During his time on the bench, he authored nearly 120 opinions, shaping the laws of our State and influencing policymakers across the country.

Whether it was teaching law, serving as a trial lawyer, working to reform State government or recommending changes to Indiana's criminal justice system, Jon brought to bear his remarkable talents and his belief in the potential of humanity. He always sought justice while forging collective solutions. His record of service to the legal profession was matched only by his service and dedication to the community.

Jon went to law school in Indianapolis and stayed on to practice law for nearly two decades at Bingham Summers Welsh & Spilman. He resigned from the Indiana Supreme Court to become president at Chemed Corp., in Cincinnati. A true family man who possessed a deep love for the law, Jon later returned to Indianapolis to start a law firm with his two sons.

His personal accomplishments are as impressive as his professional ones. A man of incredible physical strength, Jon ran in several marathons and competed in an Iron Man Triathlon in Hawaii.

Indiana lost a great man when cancer took Jon away from us. It is my sad honor to enter the name of Jon Krahulik in the RECORD of the United States Senate for his service to Indiana and for his profound contributions to the field of law.●

TRIBUTE TO ELLIOTT BALBERT

● Mr. HARKIN. Mr. President, more than 10 years ago I was proud to work shoulder to shoulder with Senator ORRIN HATCH to pass the Dietary Supplement Health Education Act, DSHEA, to give consumers access to dietary supplements and truthful information about these products. That is one of the reasons it is my great pleasure to pay special tribute to Elliott Balbert, upon his retirement as the president of the Dietary Supplement Education Alliance.

Elliott Balbert recognized the need to get the word out about the growing body of scientific support for dietary supplement use. So, 5 years ago, he created a unique industry alliance of companies to focus on providing meaningful information about the health benefits and responsible use of dietary supplements.

Starting a brandnew nonprofit organization is not easy. There were volun-

teers to recruit, a board to create, paperwork to file, and money to raise. But even though Elliott was still a full-time CEO of a large public company, he managed to build a solid foundation on which the Dietary Supplement Education Alliance can continue to grow.

Elliott Balbert served as president of the board of trustees for the Dietary Supplement Education Alliance for more than 4 years. He planted the seeds, nurtured them, and watched them blossom into a thriving organization.

I admire the fact that Elliott isn't afraid to put his money where his mouth is. He has provided ongoing philanthropic support to a number of health-related charities, including the Vitamin Angels, the Healthy Foundation, and other initiatives that provide health benefits to the underprivileged.

As Elliott moves on to dedicate more time to his business, I want to take this opportunity to express my gratitude for the outstanding job he has done for the Dietary Supplement Education Alliance. We wish Elliott and his family all the best, and we salute his leadership in working toward a healthier America.●

JOSEPH P. "SONNY" FOSTER

● Mr. NELSON of Nebraska. Mr. President, I am here today to speak about my cherished friend, long time aide, and trusted confidante, Sonny Foster, who died unexpectedly on August 25.

I first met Sonny in 1973 when he and I served together on the Urban League Board. Sonny was still a student at Creighton and I was counsel to an insurance company. Sonny loved to tell the story of my first Urban League meeting at the old Logan Fontenelle Center. When the meeting ended and I went to drive home, I found, to my dismay, that someone had helped themselves to my battery. Sonny retold the story the week before he died. With his unique high-pitched laugh he said "We never expected to see him again!" But I came back and a friendship began that lasted for more than 30 years!

In 1989, when I was planning to run for Governor, some 16 years later, we teamed up. No one ever expected us to win, and we never expected to lose. And we didn't. It was his first time to manage a statewide campaign and my first time as a candidate for office. Of this victory, the Omaha World-Herald said in its August 27, 2005 editorial "Foster put his stamp on the political map of Nebraska by the start of the 21st Century—not only because of his assistance in planting BEN NELSON firmly in the political firmament, but also in his steadfast efforts to make the Democratic Party a force in his North Omaha base."

Much has been made of Sonny's firsts. He was the first African American elected to be student body president at Creighton University in 1973. He was the first African American elected to the Omaha Board of Edu-

cation by district. He was also the first African American to run a statewide campaign in Nebraska. Sonny had a long and distinguished career in public service including serving as a legislative aide for Congressman John Cavanaugh and as deputy labor commissioner for Governor Bob Kerrey. When I was Governor, he served in multiple positions in my administration.

These are indeed significant accomplishments. And it is indeed appropriate that we celebrate them. But you know what Sonny treasured most was breaking the ground for others to follow—much more than anything he did on his own. In a very real sense, Sonny lived his life so others could enjoy their own success. Sonny lit the torch and passed it on. We must commit to never let that torch go out because of apathy or inaction. He set the standard—it is for others, for us, to now uphold.

I had a lot of time to think about what to say about Sonny in the eulogy I delivered at his memorial service hoping to do justice to a most remarkable life cut short by some divine plan which we must reluctantly accept. I started by listing his many qualities: Sonny was brilliant and perceptive. He was loyal, honest, trustworthy, dependable, responsible, competent, caring, passionate and compassionate.

He was totally trustworthy. Sonny was honest. He would tell you what you needed to know, not what he thought you wanted to hear. This was one of his most endearing qualities.

One time I teased him by saying I preferred to be told that my idea was unlikely to work rather than be asked "who came up with that crazy idea?"

Sonny was focused on getting things done. No task was ever too big or important or too small for him. Stories abound about his tackling impossible immigration cases and solving them. He met my plane when he could have assigned it to someone else. Those 20 minute trips gave us uninterrupted time to talk, to catch up, and to tease one another about one thing or another.

Then there is Sonny's passion. Everyone has a story about how strongly Sonny Foster felt about each and every cause. He didn't suffer foolishness. He possessed the ability to sort things out. Not bashful, he told you what he thought and sometimes in colorful terms. Most of those terms cannot be repeated here. Some thought Sonny lacked patience. I see it the other way around. His dedication, his devotion to his work, his dogged perseverance manifested itself in bold and bombastic ways. When he cared, you knew it!

Underneath the bombast and the passion was a deep well of compassion. Sonny had a soft, caring side. I think today of all those constituents who benefited from his good work in our office. How he cared about their problems! He left an indelible impression.

An e-mail from a young TV reporter who has left Omaha for another market